GLERK'R OFFICE U.S. DIST. COURT
AT HISTORISONSURA, VA
FILED
SEP 2 1 2009

JOHN F. CONCORAN, CLERK
BY: K. BALLSCHICK
DEPUTY CLERK

Michael F Harris CEO
M.F. Harris Research
P.O. Box 689
Luray, Virginia 22835
USA
Telephone 001-919-740-6213
mfharris 13@msn.com

I request an extension on case # 7:09CV00182 due to not being able to find a valid service address on the defendants or contact information.

9/21/09

Respectfully,

Michael Harris CEO

M F Harris Research

Case 7:09-cv-00182-SGW Document 9 Filed 02/15/11 Page 1 of 1 Pageid#: 43

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

	• ====
JUL BY:	DEPUTY CLERK

FEB 1 5 2011

MICHAEL F. HARRIS,)
M. F. HARRIS RESEARCH, INC.)
) Civil Action No. 7:09CV00182
Plaintiffs,)
_)
v.) <u>ORDER</u>
JEFFREY K. SETO, ET AL) By: Samuel G. Wilson
) United States District Judge
Defendants.)

It appearing that on September 28, 2009, the court entered an order directing plaintiffs to file proof of service within 30 days or this action would be dismissed, and plaintiffs failed to comply with the court's order and the court dismissed the case without prejudice on December 9, 2009. More than one year later, on January 10, 2011, plaintiffs filed a motion to reopen the case indicating they had additional information as to defendants whereabouts to effect service. Though the court dismissed plaintiffs' original complaint because plaintiffs failed to arrange for service of process, the court notes that the original complaint also failed to contain a short and plain statement of plaintiffs' claims showing that plaintiffs were entitled to relief. Under the circumstances the court does not find reinstatement to be appropriate. However, plaintiffs may file a new complaint in compliance with Federal Rules of Civil Procedure and pay the required filing fee.

Accordingly, it is ORDERED and ADJUDGED that plaintiffs' motion is DENIED without prejudice to the filing of a new complaint that conforms to the Federal Rules of Civil Procedure.

ENTER: This February 14, 2011.

UNITED STATES DISTRICT JUDGE

Case 7:09-cv-00182-SGW Document 1-1 Filed 05/15/09 Page 1 of 3 Pageid#: 3

Email: Michael F. Harris, CEO BOX 689 Luray, VA 22835

Tel: 919-740-6213 Fax: 540-743-6838

May 2, 2007

Chief Deputy Whip Eric Cantor 4201 Dominion Blvd. Suite 110 Glen Allen, VA 23060 (804) 747-4073

C/O Susan Barney Bill Dolbow

Dear Congressman Cantor:

I thank you for your continued support of our research efforts. As you'll recall from our August 2005 House Appropriations request submitted through your office, our patent-pending treatment method has demonstrated the potential to revolutionize the current methods of treating diseases such as Leukemia and viral infections such as HIV. This method could also aid in the recovery of individuals infected with viral agents introduced through bio-terrorism.

First, a little background information is required. In late 2004, early 2005, I was traveling in Switzerland trying to secure additional funding and facilities to use in our Phase II clinical trials. During my absence, individuals on the MF Harris board of directors, led by our filing patent agent, Jeffrey K. Seto, made efforts to take control of my company. They attempted to execute contracts and sell the company's shares without executive authority to potentially illegitimate organizations.

This created delays in our research and the ability to obtain other much needed research funding. It is my belief that Jeffrey Seto and Nancy Ferguson practiced law within the company without a license, attempted to force me to sign bogus contracts and manipulated the minutes of the company's meetings for their financial benefit. These individuals were confronted and dismissed from the board in April 2005. Jeffrey K. Seto was revoked as our patent agent.

It seems that when these individuals were not successful in taking control of MF Harris Research, they decided the next best thing would be to "borrow" the trade secrets of my company and venture out on their own. Recently, one of our investors brought to my attention that these previous board members and medical consultants of MF Harris Research had formed a new company in the state of Nevada. In May of 2005, the company Deep Blue Inc (http://www.deepblueinc.com/) was founded on the same technology that MF Harris owns, claimed a patent-pending technology "invented" by a former MF Harris Research medical consultant, and was in fact selling shares, and advertising financial backing.

The directors listed on the State of Nevada filing documents are Kevin Kendrick, Matthew Johnson, a former Counter

:: M.F. Harris Research

Intelligence agent with the Army, and the previously mentioned Nancy Ferguson. Jeffrey K. Seto, on behalf of Deep Blue, submitted their patent application (#11/208,402) on August 19, 2005, which was extremely similar to ours. The stated inventor listed on this patent was Dr. Stephen Guthrie, who was our Principal Medical Investigator in 2003. Their patent application is in a state of "non-final rejection" due to, among other things, conflicts with our patent application #10/660,429.

All the individuals listed above formerly had close ties to MF Harris Research, most were in fact former board members, medical consultants or investors. As such, they were privy to both scientific and financial information that they in turn used to slander MF Harris Research and lure investors into backing this newly formed corporation, Deep Blue, Inc.

We are very close to a potential and viable treatment that could help many people infected with life-threatening diseases go on to live symptom free. The actions of these individuals, motivated by personal financial gain, significantly delayed our research and cost MF Harris Research much time, expense and credibility in both the scientific and financial communities. Illegally acquiring company property, disseminating confidential information, violating Confidentiality Agreements and defaming of myself and the reputation of the company have been just a few of the tactics this group has used to defraud investors and prevent the success of MF Harris Research.

In June 2005 I had contacted Russell Bransford (ph. 804-261-1044), of the Virginia FBI to investigate our claims. Mr. Bransford worked with Detective Troy Thomas in Salem, Virginia. They attempted to regain possession of our company files and property that Jeffrey K. Seto took with him upon his dismissal as our patent attorney. Unfortunately, some of these files have not yet been recovered, and we received no further follow-up from the FBI. Additionally, we learned that Russell Bransford had retired, and upon his retirement he did not reassign the case.

I request that an inquiry be made by your office as to the FBI/SEC actions as soon as possible to prevent further fraud and flight of the individuals associated with Deep Blue, Inc. I have emails from investors in Deep Blue testifying to the fraudulent activities of these founders, and I have filed a complaint with the Nevada SOS agent Jackie Reese.

Documents and emails have been sent supporting these allegations. I appreciate your time, and hope that you will be able to offer us some assistance. I look forward to your comments.

Sincerely yours,

Michael Harris (electronic signature)

Michael F. Harris CEO

M.F. Harris Research

Detective Thomas, Have you any information on getting the company property back? If there is any information you require do not hesitate to contact me or Mr. Dugger, The FBI contact we have is Russell Bransford in the Richmond Virginia office, telephone 804-261-1044. I am concerned the un- warranted mail sent out without Identification to various people associated with the company needs to be addressed, as there were few people that could have had possession or the knowledge to commit this. The other individuals I believed involved in this are Matthew Johnson a former Counter Intelligence agent with the Army and Nancy Ferguson an attorney who just passed the bar in Cary, North Carolina, all former board members of the company who attempted to execute contracts and selling the company's shares without authority to potentially illegitimate organizations that did not produce proper contracts that were approved by licensed attorneys and causing a delay in our research and other funding. Both Nancy Ferguson and Jeff Seto were law students at Chapel Hill, NC together and, in my opinion, imposed practicing law within the company without a license, attempting to force me to sign these contracts and manipulating the minutes of the company's meetings for their financial benefit. Other individuals that have attempted to exploit the company are Edwin Horsley of Bell Harbor NY, Charles Hill and Associates (Knoxville, TN), Kevin Kendrlck, Dr. Stephen Guthrie MD, PhD (attempted to use our technology and signing a letter of intent with Stop Aids). Stop Aids is an organization, I believed, started by Horsley, Seto, Johnson, Ferguson and others involved with these individuals to attempt license our technology and sell it to the Hill group with out authorization and circumvent and undermine our ongoing work to receive shares at a fraction of a price paid by other investors and take control of the company while I was working in Switzerland in December/ January 04-05. We are very close to a potential and viable treatment that could help many people and these individuals, motivated by the potential of great personal financial gain delayed the work and cost the company much time and expense and since have been removed. Not returning company property, dissemination of confidential information, violation of Confidentially Agreements and defaming of myself and the reputation of the company have only been a few of the tactics this group has used to prevent success of this project. I look forward to hearing from you.

Sincerely yours,

Michael F Harris CEO
M.F. Harris Research
13910 Preacher Chapman Pl.
Centreville, Va. 20121
USA
Telephone 001-919-740-6213
International:
Kleinhuningerstrasse 177
CH-4057 Basel Switzerland
Office 01141616313013
Fax 011616313006
Switzerland Cell 01141788995463
Slovenia Cell 01138631657150

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 6 of 38 Pageid#: 19 Virginia Courts Case Information System 82-SGW Document 1-3 Filed 05/15/09/asdgr2/courts state value/Clistyles/Case Detail.do

Virginia Courts Case Information

Pleadings/Ordens

Main Menu

Logoff

Salem Circuit -Criminal Division Case Details

Case Number: CR07000635-00	Filed: 12/06/2007	Commenced by: Direct Indictment	Locality: COMMONWEALTH OF VA
Defendant: SETO, JEFFREY KEAKEALANI	Sex: Male	Race: White Caucasian	DOB: 07/01/****
Address: SALEM, VA 24153	·		•
Charge: OBTAIN PROPERTY FALSE PRETENSE		Charge Type: Felony	Class:
Offense Date: 10/04/2007	Arrest Date: 02/21/2008		· <u>·</u>

Hearings

#	Date	Time	Туре	Room	Plea	Duration	Jury	Result
i	12/14/2007	9:00AM	Grand Jury	1				True Bill/Arrested on Capias
2	01/10/2008	8:30AM	Advise about Attorney	1		***************************************		Carried Over
3	01/17/2008	8:30AM	Advise about Attorney	1				Arrested on Capias
4	01/23/2008	1:30PM	Advise about Attorney	1				Granted
5	02/21/2008	9:00AM	To Be Set	l			Γ	Set for Trial
6	03/05/2008	11:30AM	Motion/Other Pre-Trial	1				Carried Over
7	03/07/2008	9:30AM	Motion/Other Pre-Trial	1				Carried Over
8	03/12/2008	9:30AM	Trial	1	Not Guilty	1 hour(s) 30 minutes		Defense needs/changes Attorney
9	03/13/2008	11:00AM	Motion/Other Pre-Trial	1				Granted
10	04/11/2008	11:00AM	Motion/Other Pre-Trial	l		30 minutes		Withdrawn
11	05/16/2008	10:30AM	Trial	1	Not Guilty	1 hour(s) 30 minutes		Under Advisement
12	05/15/2009	2:00PM	Under Advisement	1				

Final Disposition

Disposition Code:

Amended Charge:	Amended Code Section:	Amended Charge Type:
Jail/Penitentiary:	Concurrent/Consecutive:	Life/Death:
Seatence Time:	Sentence Suspended:	Operator License Suspension Time:
Fine Amount:	Costs: \$745.00	Fines/Cost Paid: Yes
Program Type:	Probation Type: Supervised	Probation Time: 12 Month(s)
Probation Starts:	Court/DMV Surrender:	Driver Improvement Clinic:
Driving Restrictions:	Restriction Start Date:	Restriction End Date:

Disposition Date:

Concluded By:

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 7 of 38 Pageid#: 20
Virginia Courts @asslefor: @as

VA Alcohol Safety Action:	Restitution Paid:	Restitution Amount: \$0.00	
Military:	Traffic Fatality:		

Appealed Date:

Name List Pleadings/Orders Services Main Menu August - 2007 Newsletter

M.F. Harris Research

Michael Harris, President & CEO

Deep Blue, Inc. & Jeffrey Seto

I wanted to take this opportunity to update our investors on what has been going on during the past several months, and what we hope to accomplish moving forward in 2007-2008. As some of you remember, in 2004, early 2005, I was traveling in Switzerland trying to secure additional funding and facilities to use in our Phase II clinical trials. During my absence, individuals on the MF Harris board of directors, led by our filing patent agent, Jeffrey K. Seto, made efforts to take control of the company. They attempted to execute contracts and sell the company's shares without executive authority to potentially illegitimate organizations.

This created delays in our research and the ability to obtain other much needed research funding. It is my belief that Jeffrey Seto and Nancy Ferguson practiced law within the company without a license, attempted to force me to sign bogus contracts and manipulated the minutes of the company's meetings for their financial benefit. These individuals were confronted and dismissed from the board in April 2005. Jeffrey K. Seto was revoked as our patent agent.

It seems that when these individuals were not successful in taking control of MF Harris Research, they decided the next best thing would be to "borrow" the trade secrets of the company and venture out on their own. Recently, one of our investors brought to my attention that these previous board members and medical consultants of MF Harris Research had formed a new company in the state of Nevada. In May of 2005, the company Blue (http://www.deepblueinc.com/) founded on the same technology that MF Harris owns, claimed a patentpending technology "invented" by a

former MF Harris Research medical consultant, and was in fact selling shares, and advertising financial backing.

The directors listed on the State of Nevada filing documents are Kevin Kendrick, Matthew Johnson, a former Counter with the previously Intelligence agent Army, and the mentioned Nancy Ferguson. Jeffrey K. Seto, on behalf of Deep Blue, submitted their patent application (#11/208,402) August 19, 2005, which was extremely similar ta (focusing on trying to patent the hyperbaric chamber setup - i.e. the "system", more than the treatment "method"). The stated inventor listed on this patent was Dr. Stephen Guthrie, who was Principal Medical our Investigator in 2003. Their patent application is in the process of being reviewed after a state of "non-final rejection" due to, among other things, conflicts with our application #10/660,429.

All of these individuals formerly had close ties to MF Harris Research, most were in fact former board members, medical consultants or investors. As such, they were privy to both scientific and financial information that they in turn used to slander MF Harris Research and lure investors into backing this newly formed corporation, Deep Blue, Inc.

M.F. Harris Research

Page 2 of 4

What are we doing about it

In January of this year, MF Harris Research formally revoked the power of attorney of Jeffrey K. Seto, and documents were filed with the US Patent Office appointing Rodney Sparks of Crozet, VA as our Patent Attorney moving forward. Rodney has been working with the US Patent Office to 'jump start' our patent application, paying any outstanding fees and filing the necessary forms and documentation. We hope to finally have our patent application approved by the end of 2007.

In May of this year, we submitted a letter to Chief Deputy Whip Eric Cantor (of VA), which told the story of Deep Blue's illegal practices, and asked for his help in working with the SEC and FBI to investigate these claims and take action against the individuals who attempted to steal our technology and defame our company.

We also got in contact with several individuals who had invested money into Deep Blue, Inc based upon their patent filing and fraudulent press releases. One of our contacts, a researcher who was cited on Deep Blue's website, put us in touch with a foundation that may have interest in helping fund our clinical trials — and have in fact recently signed an NDA with MF Harris Research.

Other individual investors of Deep Blue whom we have contacted, have offered up their assistance "to do whatever it takes", to bring the officers of Deep Blue, Inc. to justice.

In early August we met with legal council in Washington, DC to discuss pursuing action against the agents of Deep Blue, Inc. The question was raised; "Is it essential to the future success of MF Harris Research to raise and devote the necessary financial resources to pursue a lawsuit against Deep Blue and its principals now?"

As discussed with the law partners of Carvey, Schubert & Barer, "part of the answer to whether we must find the funds to sue now depends on whon the statute of limitations expires on such claims. Another issue critical to determining whether litigation needs to be pursued at this time is whether, if granted, the Deep Blue patent application could be invoked to prevent MF Harris from developing and marketing the invention, and, assuming our pending patent application is granted, to prevent or restrict us from practicing or exploiting our patent, once it is allowed and issued. If the Deep Blue patent could be a significant impediment, then we need to consult with patent counsel about whether there exists formal procedural mechanisms to invalidate the Deep Blue application or patent before the Patent and Trademark Office."

Recent investigations by our patent attorney, Rodney Sparks, indicate that neither the MF Harris patent application nor the Deep Blue application currently infringes upon the other - and in his opinion, both applications are "patentable".

GSB partners went on to say; "at the same time, without regard to whether or not the past and present conduct of Deep Blue and its principals pose a threat to the future success of MF Harris necessitating immediate pursuit of legal action, we think a primary focus should continue to be raising funds to complete Stage II clinical trials. We also think MF Harris needs to find a good CPA or tax lawyer that routinely practices before the IRS to advise us concerning the corporate tax cleanup work that may need to be done, and to develop and implement a strategy for getting this done in a timely and efficient manner."



Case 7:09-cv-00182-SGW Document 1-4 Filed 05/15/09 Page 1 of 7 Pageid#: 10



NEVADA SECRETARY OF STATE, SECURITIES DIVISION

555 E. WASHINGTON AVE., SUITE 5200 LAS VEGAS, NV 891 01 TELEPHONE: (702) 486-2440

QUESTIONNAIRE

The Securities Division will begin a preliminary investigation upon receipt of this form. All information you provide will be deemed confidential and neither the content nor the source of the questionnaire will be available for public inspection unless the Division institutes formal proceedings. Please type or print all information requested.

ection 1: Pers	onal Information Sect	ion
Mr. First Na Mrs. Last N	ame: Michael ame: Harris	Social Security Number 226-06-8690
Home Street: City: State: Zip Code:	Address:	Business Address: Street: box 689 City: Luray State: Virginia Zip Code: 22835
Telephone:		Your Trade or CEO M.F Harris Research Occupation:
our Date of Birth our Place of Birth	3-13-63 Washington D.C.	
• 16.1		
evel of Education Co	ompleted: High School Bachelor of S Masters/MBA X Doctorate Ph Other	Widowed
Section 2: Spous	se Information Section	ו
married, spouse's	name: First Name Last Name Middle Name	

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 11 of 38 Pageid#: 24

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Spouse's Trade or (Occupation:				
Date of Birth:					
Prior Investment Exper					
Level of Education Completed: High School					
Section 3: Informatio	ation About Offeror	/Pron	noter _{Nam}	e all persons involved	l (if unknown please indicate)
<u> </u>	Name of Individual:	Ivarda le			
	Firm/Company:				
-	Doing Business As:			·	
	Address:		rt crestwood	drive	
<u>-</u>	City:	las vega	.s		
<u> </u>	State:				
Ī	Zip Code:	89129	•	······································	
	Telephone Number(s):				
List all persons that were involved in this transaction					
Last Nan	ne: ferguson			Last Name:	johnson
First Nan				First Name:	
Middle Nan	ne:			Middle Name:	
Positio	on: secretary			Position:	director
Telephone Numb	er: 213 maryland circle		Tele	phone Number: Address:	213 maryland circle
Ci	ity: cary			City:	cary
	te: nc			State:	nc
	de: 27153			Zip Code:	27153

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 12 of 38 Pageid#: 25

Case 7:09-cv-00182-SGW Document 1-4 Filed 05/15/09 Page 3 of 7 Pageid#: 12 Last Name: Last Name: First Name: First Name: Middle Name: Middle Name: Position: Position: Telephone Number: Telephone Number: Address: Address: City: City: State: State: Zip Code: Zip Code: Manner of Offering **Telephone Solicitation** Radio Please check all that apply **Personal Visit** Letter Newspaper **Advertising Pamphlet** Television **Group Sales Presentation** Internet Other (attach statement) Did you make an investment? Yes No How much did you invest? If you were solicited to Person's address. invest, name the person if known who solicited you List the name and address of the company, corporation or association that you invested in Company Name: Company Name: Telephone Number: Telephone Number: Address: Address: City: City: State: State: Zip Code: Zip Code: Company Name: Company Name: Telephone Number: Telephone Number: Address: Address:

City:

State:

Zip Code:

Nevada Secretary of State Securities Division Questionnaire Page 3 of 7

City:

State:

Zip Code:

Securities Division Questionnaire Page 4 of 7

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 13 of 38 Pageid#: 26

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 14 of 38 Pageid#: 27 Case 7:09-cv-00182-SGW Document 1-4 Filed 05/15/09 Page 5 of 7 Pageid#: 14

2.	Was the investment recommended to you?
	☐ Yes ☐ No
	If Yes, who recommended it?
	Is this person an investor? Yes No
	Please list the person's address and telephone number below:
3.	What were you told about how your money would be used? Who told you this?
4.	What were you told about the RISKS of the investment? Who told you this?
	Warrange of the appropriate NEWOLETTED OFFEDING OFFICE APPLICATION APPLICATION
5.	Were you given a PROSPECTUS, NEWSLETTER, OFFERING CIRCULAR or ANY OTHER WRITTEN MATERIALS concerning you investment?
	☐ Yes ☐ No
6.	Did you receive a confirmation of purchase?
	☐ Yes ☐ No
	What was the confirmation?
7.	Have you made a written complaint to the broker/dealer and/or to the sale representative?
	☐ Yes ☐ No
8.	If you now know of fraud, please explain the nature of the fraud & when did you discover the fraud.
9.	How much money did you lose because of this investment?
10.	Do you know what bank account your money was deposited into? If so, please provide details
	na

Nevada Secretary of State Securities Division Questionnaire Page 5 of 7

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 15 of 38 Pageid#: 28 Case 7:09-cv-00182-SGW Document 1-4 Filed 05/15/09 Page 6 of 7 Pageid#: 15 In filing this complaint, what results do you expect from the Nevada Securities Division? Section 5: Officiating Section Signature of Complainant Date IF THIS REPORT WAS <u>PREPARED BY SOMEONE OTHER THAN COMPLAINANT.</u> PLEASE INDICATE WHO PREPARED THIS REPORT

Signature of person completing report Date

Nevada Secretary of State Securities Division Questionnaire Page 7 of 7

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 16 of 38 Pageid#: 29 Case 7:09-cv-00182-SGW Document 1-4 Filed 05/15/09 Page 7 of 7 Pageid#: 16

Ţ	If the investment vise each did you receive a received.
+	If the investment was cash, did you receive a receipt?
+	The state of the s
L	Did you make a report or complaint to any other government agency, or to an attorney? If so, please provide the available facts below or with an additional sheet
	yes, attny. alexander donaldson ,attny. malvern king north carolina s.c.c. shawn pruitt; FBI agent Bransford, Sherry Boone Richmond Virginia office. REP. Price north carolina office.
	ARE YOU WILLING TO TESTIFY IN A COURT OF LAW REGARDING THIS CASE?
	YES NO
	IN THE SPACE PROVIDED BELOW, PLEASE DESCRIBE THE REASONS WHY YOU ARE FILING A COMPLAINT AGAINS THE COMPANY AND/OR SALESPERSON. (Please feel free to attach additional pages.) Please attach a copy of any written materials (checks, contracts, advertisement, letters, etc.) that may to your investment. Please tell us the full strand begin with the date of first contact to present. Keep dates of events in sequence and include misrepresentations: (Include full names of Individuals, including all witnesses present during the transaction(s). Be factual. Try to answer questions "who" "what" "where" and "when".
	This space is limited to 3500 characters.
	This was a letter sent to the athorities 6-23-05 but the company was Deep Blue that was in Question not Stop Alds.
	The letter: Detective Thomas, Have you any information on getting the company property back? If there is any information you require do not hesitate to contact me or Mr. Dugger, The FBI contact we have is Russell Bransford in the Richmond Virginia office, telephone 804-261-1044. I am concerned the un-warranted mail sent out without Identification to various people associated with the company needs to be addressed, as there were few people that couk have had possession or the knowledge to commit this. The other individuals I believed involved in this are Matthew Johnson a former Counter Intelligence agent with the Army and Nancy Ferguson an attorney who just passed the bai in Cary, North Carolina, all former board members of the company who attempted to execute contracts and selling the company's shares without authority to potentially illegitimate organizations that did not produce proper contracts that were approved by licensed attorneys and causing a delay in our research and other funding. Both Nancy Ferguson and Jeff Seto were law students at Chapel Hill, NC together and, in my opinion, imposed practicing law within the company without a license, attempting to force me to sign these contracts and manipulating the minutes of the company's meetings for their financial benefit. Other individuals that have attempted to exploit the company are Edwin Horsiey Bell Harbor NY, Charles Hill and Associates (Knoxville, TN), Kevin Kendrick, Dr. Stephen Guthrie MD, PhD (attempted to use our technology and signing a letter of intent with Stop Aids). Stop Aids is an organization, I believe started by Horsley, Seto, Johnson, Ferguson and others involved with these individuals to attempt license our technology and sell it to the Hill group with out authorization and circumvent and undermine our ongoing work to receive shares at a fraction of a price paid by other investors and take control of the company while I was working in Switzerland in December/ January 04-05. We are very close to a potential and viable treatment that
ŀ	Sincerely yours,
	Michael F Harris CEO M.F. Harris Research

NASSAU HEALTH CARE CORPORATION NASSAU UNIVERSITY MEDICAL CENTER



2201 Hempstead Tumpike East Meadow, New York 11554 (516) 572-0123

January 10, 2003

Michael F. Harris, Director/President/ Founder, NITRAIDS, Inc. Durham, North Carolina

Dear Michael,

This declarative summary outlines my understanding of your project, my background so as to act as a participant in the study and my current position enabling me to do so. This letter is followed by my formal Curriculum Vitae and a short biographical paragraph.

At this time I am an Attending Surgeon at Nassau University Medical Center and serve there as the Director of the Wound Healing & Hyperbaric Medicine Unit in the Department of Surgery. As a plastic surgeon I became involved in Hyperbaric Medicine as part of the wound healing armamentarium ten years ago and have been practicing this discipline exclusively for four years. At the end of this month I am resigning my fultime position at Nassau University Medical Center to assume the same position in the Department of Surgery at Kingsbrook Jewish Medical Center in Brooklyn. I will continue to serve as a consultant to the Unit here at Nassau University Medical Center.

Kingsbrook Jewish Medical Center currently has monoplace hyperbaric chambers in its Unit but has acquired a ten-person multiplace chamber from the Air Force. This chamber will be re-commissioned in KJMC's main hospital within the next few months, will be operational in 2003, and will serve as the facility in which the study patients will be treated. The study has the support of the hospital's administration and by the end of this month its IRB will have formally approved the protocol and study consent.

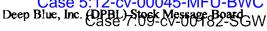
It is my personal and professional opinion that the study has sound scientific validity based on the animal studies and the Phase I results. I also believe the study has the potential for significant clinical importance and that it should (and will) be performed. I welcome the opportunity to participate in this effort.

Sincereit

S.D. Guthrie, M.D., Ph.D.

Director; Wound Healing & Hyperbaric Medicine U nit

A. HOLLY PATTERSON EXTENDED CARE FACILITY





MISSION STATEMENT:

To develop and bring to market innovative technologies for the national and international medical community that will positively impact those who have been infected with viral diseases and introduce cost effective medical solutions for improving the quality of life of their patients.

ABOUT DEEP BLUE:

Deep Blue, Inc. is an organization that is bringing to market a patent-pending treatment, >(Application Number 11/208,402), for HIV /AIDS and other viral infectious diseases. Deep Blue's protocols and technology have been in development for over 9 years. In April 2005, Deep Blue Inc. was granted the only FDA Non-significant Risk Status for the treatment of AIDS and Hepatitis C using class "A" medical devices. The FDA Stage-II single-site study has been approved to conduct human trials and is scheduled to be completed by January 30, 2007. Deep Blue, Inc. will complete their multi-site trials at several leading research hospitals in the first quarter of 2007.



All investor inquiries should be directed via email to investorrelations@deepblueinc.com

COMPANY NEWS AND PRESS RELEASES

11/21/2006 - Deep Blue Announces Management Decision (A symbol and cusip number change.)

11/20/2006 - Deep Blue, Inc. Explains Equity Investment

11/17/2006 - Deep Blue, Inc. Orders NOBO List (..and OBO list.)

11/16/2006 - Deep Blue, Inc. Receives Letter of Interest for Initial Funding

10/31/2006 - Deep Blue, Inc. Reveals North American Market Potential

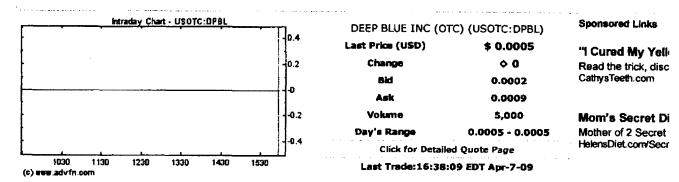
Rhara	Structure	

500,000,000 Authorized: 172,593,852 Outstanding: 100,000,000 Restricted:

> Float: 72,000,000

In Certificate Form: 35,000,000 Free Trading Shares: 32.593.852

Short: -6,000,000



LSE and PLUS quotes are live. NYSE and AMEX quotes are delayed by at least 20 minutes. All other quotes are delayed by at least 15 minutes unless otherwise stated.

Go to Po	st#ordate Go <u>Surveys</u>		Previous 50 Next 50
Post	Subject	Posted By	Time
#1498	im sorry i dont.	moose-slo	1/16/2009 6:17:57 PM
#1497	Do you know what ever happened to Johnson,	asus	1/15/2009 2:15:26 PM
#1496	Good for Michael Harris, I assume no more	Arrow335	1/15/2009 2:04:00 PM
#1495	I know Michael Harris personaly If anyone stil has	moose-slo	1/14/2009 5:48:58 PM
#1494	Sometimes good guys win	curtg	12/31/2008 5:25:05 PM
#1493	Nice work.	asus	12/2/2008 5:32:14 PM
#1492	We need 2009 predictions:	curtg	12/2/2008 4:46:16 PM
#1491	Latest update	curtg	12/2/2008 4:35:11 PM
#1490	Rumor, Rumor, Rumor	curtg	10/10/2008 11:02:15 AM
#1489	Well, there's my 2000-share dump.	jhnvtji!	10/9/2008 4:26:47 PM
#1488	BoredBored can't find zip on DPBL, Guthrie, or	curtg	9/24/2008 3:58:51 PM
#1487	The webmaster never got paid and he would	67gt500	8/27/2008 2:36:58 PM
#1486	Deepblueinc.com I just tried the website and it no	curtg	8/13/2008 12:10:16 PM
#1485	Thanks but its really worthless unless I can	curtg	8/11/2008 3:02:51 PM
#1484	Awesome due diligence!	asus	8/7/2008 10:06:12 AM
#1483	What happens in Vegas I guess stays in	curtg	8/7/2008 8:37:48 AM
#1482	Harris patent again, well it looks like the	curtg	8/6/2008 3:56:32 PM
#1481	Harris Patent,	curtg	8/5/2008 8:01:26 PM
#1480	Now I'm only Down -\$7,500 keep em	Arrow335	7/31/2008 5:16:46 PM
#1479	Nevada Secretary of State office of investigation, securities division.	curtg	7/31/2008 3:04:11 PM
#1478	http://investorshub.advfn.com/boards /read_msg.aspx?message_id=31120187	asus	7/31/2008 2:47:53 PM
#1477	I love your DD and persistence to find	asus	7/29/2008 7:12:00 PM
#1476	David F. Hostelley well I found it almost	curtg	7/29/2008 4:52:25 PM
#1475	Brigitte Wicks, initial DD finds that she is	curtg	7/29/2008 3:45:27 PM
#1474	Richmond, VA Federal Bureau of Investigation phone number	curtg:	7/29/2008 3:06:34 PM
#1473	Holy Crap!!!!	curtg	7/29/2008 3:01:10 PM
#1472	Pressure might be getting to Johnson, Seto, Kendrick,	curtg	7/29/2008 10:27:05 AM
#1471	LOL	asus	7/24/2008 5:17:28 PM

#1470	Annual list submitted toda	av in Nevada, still h	as	curtg	7/24/2008 3:20:34 PM
#1469	Thanks for the updates	•	· 	•	6/24/2008 2:17:23 PM
#1468	Kendrick alive				6/24/2008 2:07:40 PM
#1467	I was nominating Petar V	unicevich of SLJB	infamy	asus	5/5/2008 6:04:19 PM
#1466	Patent Abandoned, Seto		•	millerm	5/5/2008 1:20:41 PM
#1465	Our buddy is in jail: http:// /profile.asp?User=50425	investorshub.advfr			4/15/2008 3:24:07 AM
#1463	Michael Harris's patent, (you know the one v	who	curtg	3/21/2008 9:19:09 AM
#1462	Designed Altobaric Rese	arch Foundation		millerm	3/18/2008 3:34:17 PM
#1461	Designed Altobaric Tech	nologies Inc.		millerm	3/17/2008 1:35:25 PM
#1460	Amendment submitted in	Feb. not allowed b	ecause:	perkins	3/14/2008 9:27:07 AM
#1459	China doesn"t matter, pa	tent amendment wa	as not entered	perkins	3/14/2008 9:20:06 AM
#1458	Anyone in China in May?			millerm	3/13/2008 4:03:49 PM
#1457	Interesting. There's still a	hearbeat		asus	2/18/2008 1:05:39 PM
#1456	Jeffery Seto the DPBL p	atent attorney filed	а	perkins	2/18/2008 10:29:33 AM
#1455	Asus, just plain common	sense, only the we	bmaster	67gt500	12/9/2007 7:43:41 PM
#1454	Hey Asus,			67gt500	12/9/2007 7:33:09 PM
#1453	Yes we all got screwed			67gt500	12/9/2007 6:51:20 PM
#1452	I guess Deep Blue died o	of AIDS.		jhnvtjll	11/8/2007 5:19:05 AM
#1451	www.deepblueinc.com That is hilarious!			curtg	10/24/2007 10:41:21 AM
#1450	LOL i guess every one got screwed including			27tmaxx	10/22/2007 6:08:34 PM
#1449	It was a total scamPR's	s claiming naked sh	norting	2manystucks	10/12/2007 6:40:17 PM
#1448	FWIW, I don"t think it was	s intended to	*	asus	10/9/2007 4:52:38 PM
Go to P	ost#ordate	Go	Surveys		Previous 50 Next 50

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Deep Blue I	nc. (DPBL	.:OTC)	December 12, 2008 4:50 PM ET
			DPBL On Other Exchanges
Snapshot News Finance	cials People Transa	actions	
MARKET CAP	43.68	TOTAL REVENUE	21.004
ENITOA	2.3M	DILUTED EPS TTM	
P/E	-	P/S	-
RETURN ON ASSET	-11,68	RETURN ON EQUITY	-90.86
K = Thousands M = Millions B = B#	tons		
DPBL DETAILS Deep Blue, Inc. produces and	markets		ENSATED OFFICERS ensation data is available at this time
pharmaceuticals focusing on (he treatment of viral	O for the to	p officers at this company.
infections. The company's pro the treatment of Hepatitis C a	nd HIMAIDS.	T Executives, Board (Directors
Additionally, it offers anti-viral development services. The co			
doctors, healthcare centers, a Deep Blue is headquartered in	nd medical institutions.		
Detailed DPBL Company Descri	•		
:			
www.deepbiueinc.com			
227 Employees			
CORPORATE SPONSORE	ED CONTENT		
Learn more about adding vi	deo to your company pro	offie	
STOCK QUOTES			
Stock, Fund, or ETF	Go Company Lookup		
OPBL COMPETITORS			
Company	Lest Chang		
No competitor information is	s aveitable for DPBL.		
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INDUSTRY ANALYSIS			
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Price/Book	Not Meaningf		
Price/Cash Flow NM TEV/Sales NM	Not Meaning!		
ILVISION NW	Not Meaningf DPE		
View Detailed DPRI Financials			

DPBL TRANSACTIONS

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 22 of 38 Pageid#: 35

Case 7:09-cv-00182-SGW Document 1-6 Filed 05/15/09 Page 1 of 1 Pageid#: 22

SJS 44 (Rev. 12/07)

CIVIL COVER SHEET

7.09-CV-00182

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) I. (a) PLAINTIFFS MATAIS RESEARCH INC. Deep Ble Inc (b) County of Residence of First Listed Plaintiff PAROUS (EXCEPT IN U.S. PLAINTIFF CASES) County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) 1291 Stony MAN ROWN
LUNAY, VA 22835 Cell ##
(c) Attorney's (Firm Name, Address, and Telephone Number) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED SAttorneys (If Known) II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff (For Diversity Cases Only) and One Box for Defendant) ☐ 1 U.S. Government Federal Question Citizen of This State Plaintiff (U.S. Government Not a Party) Incorporated or Principal Place **34** of Business In This State os **X**(s ☐ 4 Diversity 2 U.S. Government Citizen of Another State Incorporated and Principal Place Defendant of Business In Another State (Indicate Citizenship of Parties in Item III) Citizen or Subject of a **O** 3 3 Foreign Nation 06 06 Foreign Country NATURE OF SUIT (Place an "X" in One Box Only) PORTEITURE/PENALTY BANKRUPTGY OF OTHER STATUTES ☐ 422 Appeal 28 USC 158 400 State Reapportionment PERSONAL INJURY PERSONAL INJURY 🗇 610 Agriculture ☐ 110 Insurance 1 620 Other Food & Drug 423 Withdrawal ☐ 120 Marine 310 Airplane 362 Personal Injury -410 Antitrust 1 625 Drug Related Seizure ☐ 130 Miller Act 315 Airplane Product Med. Malpractice 28 USC 157 430 Banks and Banking 140 Negotiable Instrument Liability 365 Personal Injury of Property 21 USC 881 450 Commerce PROPERTYRIGHTS ☐ 150 Recovery of Overpayment 320 Assault, Libel & **Product Liability** ☐ 630 Liquor Laws 460 Deportation ☐ 640 R.R. & Truck
☐ 650 Airline Regs. ☐ 368 Asbestos Personal 3 820 Copyrights & Enforcement of Judgment Slander 470 Racketeer Influenced and 830 Patent 330 Federal Employers ☐ 151 Medicare Act Injury Product Corrupt Organizations ☐ 660 Occupational 480 Consumer Credit 152 Recovery of Defaulted Liability 840 Trademark o Liability PERSONAL PROPERTY 490 Cable/Sat TV Student Loans 340 Marine Safety/Health (Excl. Veterans) 345 Marine Product 370 Other Practice of 690 Other 810 Selective Service 371 Truth in Lending . LABOR 850 Securities/Commodities/ ☐ 153 Recovery of Overpayment Liability SOISIAL SECURITY of Veteran's Benefits 350 Motor Vehicle 380 Other Personal 710 Fair Labor Standards 5 861 HIA (1395ff) Exchange 875 Customer Challenge ☐ 160 Stockholders' Suits 355 Motor Vehicle Property Damage 362 Black Lung (923) 190 Other Contract Product Liability п 385 Property Damage ☐ 720 Labor/Mgmt. Relations ☐ 863 DIWC/DIWW (405(g)) 12 USC 3410 B64 SSID Title XVI ☐ 195 Contract Product Liability 360 Other Personal 730 Labor/Mgmt.Reporting ☐ 890 Other Statutory Actions Product Liability B65 RSI (405(g))

FEDERAL TAX SUITS W & Disclosure Act ☐ 196 Franchise Injury 891 Agricultural Acts REALPROPERTY EN-CIVIL RIGHTS 740 Railway Labor Act 892 Economic Stabilization Act *PRISONER PETITIONS ☐ 210 Land Condemnation 441 Voting 790 Other Labor Litigation 370 Taxes (U.S. Plaintiff 893 Environmental Matters 510 Motions to Vacate (7) 220 Foreclosure Sentence 791 Empl. Ret. Inc. or Defendant) 894 Energy Allocation Act 442 Employment 5 871 IRS--Third Party 230 Rent Lease & Ejectment 443 Housing/ Habeas Corpus: Security Act 895 Freedom of Information Accommodations 26 USC 7609 240 Torts to Land 530 General Act 444 Welfare MINISTRATION ... 535 Death Penalty 900Appeal of Fee Determination ☐ 245 Tort Product Liability 445 Amer. w/Disabilities 3 290 All Other Real Property 540 Mandamus & Other 462 Naturalization Application Under Equal Access 550 Civil Rights 463 Habeas Corpus to Justice Employment 446 Amer. w/Disabilities 950 Constitutionality of 555 Prison Condition Alien Detainee Other 465 Other Immigration State Statutes 440 Other Civil Rights Actions Appeal to District Judge from Magistrate Judgment **ORIGIN** (Place an "X" in One Box Only) Transferred from 2 Removed from Multidistrict Litigation Remanded from Reinstated or 5 **1** 6 Original **3** another district Proceeding State Court Appellate Court Reopened (specify) Cite the U.S. Civil Statute under which you are filing (Do not cite Jurisdictional statutes unless diversity): VI. CAUSE OF ACTION Brief description of cause n. UD o 14400 Je. ta VII. REQUESTED IN **DEMAND S** CHECK YES only if demanded in complaint: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 JURY DEMAND: O Yes D No COMPLAINT: VIII. RELATED CASE(S) (See instructions): SIGNATURE OF ATTORNEY OF RECORD DATE FOR OFFICE USE ONLY __ AMOUNT <u>350 OC</u>) APPLYING IFP JUDGE 41/SON MAG. JUDGE

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 23 of 38 Pageid#: 36 Case 7:09-cv-00182-SGW Document 2 Filed 05/15/09 Page 170f 1 Pageid#: 23 I Fee / A Temporary Restorains Since a Court DAte is Scheduled Today At 2pm At Salen Bircu-t Court For Jeffery Seto It would Be the only offortenty to Retain this Person 5/15/09 MILLand CLERK'S OFFICE U.S. DISTRICT COURT AT ROANOKE VA. - FILED MAY 1 5 2009 BY: DEPUTY CLERK

7:09-CV-00182

CLERK'R OFFICE U.S. DIST. COURT AT HATTEISONSURG, VA FILED SEP 2 1 2009 JOHN F. GORCORAM, CLERK BY: K. Bauselman DEPUTY CLERK

Michael F Harris CEO
M.F. Harris Research
P.O. Box 689
Luray, Virginia 22835
USA
Telephone 001-919-740-6213
mfharris 13@msn.com

I request an extension on case # 7:09CV00182 due to not being able to find a valid service address on the defendants or contact information.

9/21/09

Respectfully,

Michael Harris CEO

M F Harris Research

Case 5:12-cv-00045-MFU-BWC Document 1-3 Filed 04/25/12 Page 25 of Case 7:09-cv-00182-SGW Document 8 Filed 01/10/11 Page 1 of 1	of 38 Pageid#: 38 Pageid#: 29
Western District of Virg Civil Docket for CASE	sinia panoke)
	#
7:09-CV-00182	CLERK'S OFFICE U.S. DIST, COURT AT ROANOKE, VA FILED
Harris Vs Seto et al	JAN 1 0 2011 JULIA 6. DUDLEY GLERK BY: DEPUTY GLERK
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Defensants!	
VS: Jeffrey Seto Deep Blue Inc	
Levin Kenprick officer	
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Motion to Re Open CASE	Reasons!
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Deep Blue, Inc. Explains Funding Progress

Deep Blue, Inc. (PINKSHEETS: DPBL) explains funding progress.

Deep Blue, Inc. is currently in the mid to final stages of negotiations with three separate funding sources. All of the funding sources have requested anonymity and Deep Blue, Inc. will honor that request. All three entities are also requesting an equity, not debt, position within the company. Deep Blue, Inc. is amenable to that condition and will welcome their teams into our family when negotiations are concluded. Deep Blue, Inc., at its sole discretion may elect to take all three sources or any combination of funding sources based on what is best for the company.

Deep Blue, Inc.'s CEO, Matthew Johnson and President, Kevin Kendrick issued a joint statement: "Deep Blue, Inc. will retain control of the company regardless of the funding source or sources and do so with minimal, if any shareholder dilution; however, it is the philosophy of this board to surround ourselves with world class people, and the personnel that we are partnering with are powerhouses in the fields of business, technology, research and development, law, advertising and marketing and health care. Building this kind of quality takes an inordinate amount of time. To ensure the well-being of those with whom we will treat with our medical technologies, both current and future, it is vital that we lay a very solid foundation before moving forward. We appreciate everyone's patience. It has, and continues to be a long and complicated process. We are continuing forward."

Deep Blue, Inc. (<u>www.deepblueinc.com</u>) is bringing to market an innovative patent-pending treatment, (Application Number 11/208,402), for HIV /AIDS and other viral infectious diseases.

Pages: 1 Cost: 0.08

4. C. S.

1

Sometimes good guys win....

Michael Harris got his patent for the hyperbaric HIV treatment from the yesterday. Congrats to him......

I hope Stephen Guthrie burns and goes away permanently, the fact that he started Designed Altobaric Tech, and is working with Fred Cramer is criminal claiming to pursue the Harris

Deep Blue will return probably trying to rip off the technology of someone else hopefully this time they will be caught..... They are definitely out of the hyperbaric

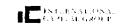
The main problem for Kendrick, Johnson, and Ferguson is that they are idiots (my opinion) with no real talent of their own especially Johnson, his only claim to fame is going to school with Harris otherwise in my opinion he is a bonehead, at least Kendrick has another company and I am not sure but Ferguson might have another career. Deep blue really needs to reverse split the shares 500,000,000 is a joke they need to do a 100 for 1 split and get the share amount down, otherwise its just a joke and still cannot understand why they kept the corporation going in Nevada, I don't see anything to justify the purpose. The only think I can think of is whoever originally had shares in the AID Auto Stores that went bankrupt in 1999 still holds a significant amount of shares and might be pushing Kendrick to do something to keep

Oh yea someone bought \$77.50 in stock two days ago after I took my annual loss, I am fairly positive it was a that searches for pink sheet volume change and automatically buys to anticipate any new movement, I suspect nothing will happen but it will be interesting if they keep the Deep Blue corp going come July 2009... Happy new year

Emait

Guide to New Interface

ACCESSING CAPITAL GOT YOU PUZZLED?



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Financial Reporting/Disc	osure	DPBL Security Detail	S	
Reporting Status	Dark			
Audited Financials	Not Available	Share Structure		
Latest Report		Market Value ¹	\$103,556	a/o Jan 07, 2011
CIK	0000937599	Shares Outstanding	172,593,856	a/o Dec 08, 2006
Fiscal Year End		Float	N/A	•
OTC Market Tler	Pink Sheets No Information	Authorized Sheres	NA	
		Par Value	0.001	
Profile Data				
SIC - industry Classification		Shareholders		
incorporated in:	NV, USA	Shareholders of Record		N/A
Year of Inc.		Beneficial Shareholders		N/A
Employees	2/0			
		Corporate Actions		
Company Officers		Ex. Date	Record Date	Pay Date
Matt Johnson	ŒO	1		
Kevin Kendrick	President	Security Notes		
Cammanu Diractore		Capital Change=sns	decreased by 1 for 8	300 split. Effective

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Pink Sheets: Deep Blue Inc. (DPBL) news stock charts

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OPBL stock performance?

Deep Blue Inc. (DPBL/DPBL.PK) Penny Investment Summary:

Deep Blue, Inc. produces and markets pharmaceuticals focusing on the treatment of viral infections. The company's products find applications in the treatment of Hepatitis C and HIV/AIDS. Additionally, it offers and viral therapy research and development services. The company caters to private doctors, healthcare centers, and medical institutions. Deep Blue is headquartered in Franklin, Tenne

www.deepblueinc.com

227 Employees Last Reported Date: 04/16/98

DEEP BLUE INC (DPBL: OTC US)

LAST CHANGE TODAY

As of 8:10 PM 01/7/11 All times are local (Market data is delayed by at least 15 minutes).

Snapshot Of DEEP BLUE INC (DPBL)

OPEN

PREVIOUS CLOSE

DAY HIGH

DAYLOW

52 WEEK HIGH

52 WEEK LOW

MARKET CAP

AVERAGE VOLUME 10 D

EPS TTM

SHARES OUTSTANDING

P/E TIM

K = Thousands M = Millions B = Billions

Key Developments For DEEP BLUE INC (DPBL)

SEC Revokes Registration Of Deep Blue

Securities and Exchange Commission (SEC) announced that the registration of the registered securities of Deep Blue Inc. has been revoked. The firm had repeatedly failed to file required annual and quarterly reports with SEC. Thus, the firm violated a crucial provision of the federal securities laws that requires public corporations to publicly disclose current, accurate financial information so that investors may make informed decisions. The revocation was ordered in an administrative proceeding before an administrative law judge.

SEC Orders Hearing On Registration Revocation Against Aid Auto

On July 16, the Securities and Exchange Commission (SEC) instituted public administrative proceedings to determine whether to revoke or suspend for a period not exceeding twelve months the registration of each class of the securities of Ald Auto Stores, Inc. for failure to make required periodic fillings with the Commission. In this Order, the Division of Enforcement alleges that the company is delinquent in its required periodic fillings with the Commission. In this proceeding, instituted pursuant to Exchange Act Section 12(1), a hearing will be scheduled before an Administrative Law Judge. At the hearing, the Administrative Law Judge will hear evidence from the Division and the company to determine whether the allegations of the Division contained in the Order, which the Division alleges constitute failures to comply with Exchange Act Section 13(a) and Rules 13a-1 and 13a-13 thereunder, are true. The Administrative Law Judge in the proceeding will then determine whether the registrations pursuant to Exchange Act Section 12 of each class of the securities of the company should be revoked or suspended for a period not exceeding twelve months. The Commission ordered that the Administrative Law Judge in the proceeding sissue an initial decision not later than 120 days from the date of service of the order instituting proceedings.

Pink Sheets: More Recent Financial News About Deep Blue Inc.

Deep Blue Inc. Financial Resources

EMAIL THIS COMPANY TO CITE RATES (512) 814-8951

Deep Blue Inc.



DPBL Competitors

No competitor information is available for Market data is delayed at least 15 minutes.

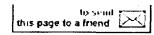
Industry Analysis

Valuation DPBLIndustry Range Price/Earnings Price/Sales Not Meaningful Not Meaningful Not Meaningful Price/Book Price/Cash Flow TEV/Sales

DPBL Transactions

Target No transactions in the last 6 months. Case 7:09-cv-00182-SGW Document 8-3 Filed 01/10/11 Page 1 of 7 Pageid#: 34

Written by
President & Founder of
, Reg. No. 44,294
Posted: September 15, 2010 @ 4:07 pm
Page viewed 7,147 times



ZIES WIDERMAN MALEK ATTERNEYS AT LAW

Two years ago today the United States Patent and Trademark

Office made effective a rule change that should have once and for all put an end to those who engage in the unauthorized practice of law in the patent and trademark field. Unfortunately, to date the Office of Enrollment and Discipline done nothing whatsoever to enforce , and in fact I have been repeatedly told by sources that the USPTO is of the belief that they cannot prevent someone who is not registered from practicing either on the patent or the trademark side of the building. This is practically unbelievable. Rule 11.5 (b) was specifically intended to force initial contact between an applicant and an attorney and prevent a middleman or entity from collecting the work, interfacing with an inventor and then handing off to a registered practitioner. It also prevents those who are not registered from preparing any documents in contemplation of filing, but that is exactly what is happening. All one has to do is a basic Internet search or turn on XM radio or cable TV to see the many advertisements from non-registered individuals and entities. Something needs to be done.

Why have a rule that defines unauthorized practice of law if that rule can only be enforced against those who are authorized to practice law? The fact that the Patent Office is not stepping up to do something is particularly sad given that some, including one of the biggest actors — LegalZoom — openly advertises that they will prepare legal documents, review them and then file them with the

appropriate agencies for the customer. Sure sounds like the practice of law to me, and flaunting the Rule in a flagrant manner.

But surely LegalZoom can't be saying those things, right? Here is the relevant text of a LegalZoom commercial on XM radio from August 19, 2010, with emphasis added:

With LegalZoom it is easy to file copyrights, trademarks and even provisional patent applications. You'll save a bundle of money and hours of tedious work. Just go online and answer a simple questionnaire and LegalZoom will file the required legal documents.

A Legal Zoom that explains the provisional patent application process says: "We create your Provisional Application for Patent and file it electronically with the U.S. Patent Office." With respect to trademark applications the Legal Zoom says: "We generate your trademark application. We electronically file your application with your approval." So they will carefully review what information you give them, prepare a provisional patent application of trademark application and then file it on your behalf. How is that not the practice of law? Incidentally, the aforementioned links are screenshots because in the past when I have written about LegalZoom they change their website, at least for a time. All screenshots were taken today, September 15, 2010.

It is disheartening to watch the Office of Enrollment and Discipline sit by and seemingly do nothing to police the industry and eradicate what in my opinion seems to be the unauthorized practice of law. I think it is absurd to argue that they do not have the authority to act, but assuming for a moment that the USPTO is correct and they do not have the authority to act, isn't it far past the time that such authority should be obtained, or at least sought? At the very least the USPTO could coordinate with the Federal Trade Commission or with the Congress to open up an investigation into what appears to be the unauthorized practice of law.

Notwithstanding, I thought it might be interesting to take a look at what the Office of Enrollment & Discipline has been up to since the start of 2010. To be perfectly honest, I was quite surprised by what I found. Not only is there not a single case involving Rule 11.5, but the overwhelming majority are related to reciprocal proceedings where discipline was already taken by a State and the USPTO is

taking appropriate matching action with respect to the practitioner. In fact, out of the 37 disciplinary proceedings this year 24 have been reciprocal proceedings, where the USPTO seems to hand out justice largely or solely based on justice being handed out by some State Bar authority.

The take home lessons from reviewing OED proceedings so far this year are these:

- 1. Don't get in trouble with your State Bar;
- Definitely have a separate client trust account if you collect a retainer. Commingling funds is a sure way to get in trouble.
- Don't bounce checks to the USPTO, but if you do quickly make good on the payment. It
 seems that bouncing checks is a red flag and leads OED to make inquiries, which lead in a
 few cases to the OED discovering commingling of funds.
- 4. Keep your clients in the loop and follow their instructions. If you don't it seems you are likely to get suspended, but have it stayed, which is curious.
- 5. Don't let cases go abandoned through your own actions, and if they do rectify the problem.
- 6. Keep a clean record. If you make a mistake that would otherwise get you in trouble but have a clean record, believable explanation and take remedial measures on your own you might be able to get away with a public reprimand.

After reviewing these cases I must admit that I am left scratching my head with respect to several matters; wondering whether the punishments when compared to one another are appropriate. For example, how is it possible that someone who didn't communicate with clients, is a repeat offender and filed applications outside the United States after nonpublication requests were filed and thereby resulted in US abandonments receives a 60 month suspension that is stayed (see

), while at the same time someone who lied to her employer about her state bar status was suspended for 3 months. (see

) I am not condoning misrepresenting things to your employer, particularly when swearing into the Bar is concerned, but it would seem to me that the greater disciplinary violation is the former, not the later, but the penalty suggests otherwise. I also don't understand how a patent examiner who was representing clients while a patent examiner escaped exclusion from practice (i.e., disbarment); he was also found to be engaged in unauthorized practice of law. (see

). What could be worse than a patent examiner representing clients and also violating State UPL laws?

In any event, here is a summary of OED disciplinary proceedings so far in calendar year 2010.

- (January 8, 2010) Reciprocal proceeding relating to State of Nebraska discipline. OUTCOME: Excluded from practice.
- (January 22, 2010) Reciprocal proceeding relating to State of New York discipline. OUTCOME: Suspended for 3 years.
- (January 22, 2010) Reciprocal proceeding relating to State of Colorado discipline. OUTCOME: Suspended for 6 months.
- (January 22, 2010) Reciprocal proceeding relating to State of Texas discipline. OUTCOME: Excluded from practice.
- (February 4, 2010) Reciprocal proceeding relating to State of California discipline. OUTCOME: Suspended for 1 year.
- (February 4, 2010) Bounced checks to USPTO. Did not maintain a client trust account, but also only billed after work was completed. OUTCOME: Public reprimand.
- (February 18, 2010) Trademark practitioner assigned work to non-licensed attorney and did not supervise; allowed non-attorney to sign papers. OUTCOME: Public reprimand.
- (February 18, 2010) Reciprocal proceeding relating to State of Arizona discipline. OUTCOME: Public reprimand.
- (February 18, 2010) Reciprocal proceeding relating to State of Illinois discipline. OUTCOME: Excluded from practice.
- (February 19, 2010) Reciprocal proceeding relating to State of California discipline. OUTCOME: Suspended for 60 days.
- (February 19, 2010) Reciprocal proceeding relating to State of Texas discipline. OUTCOME: Public reprimand.
- 12. (March 4, 2010) Worked with an invention promotion firm and accepted referrals. Found to have accepted payment for legal services from invention promotion firm without first receiving consent of the client. Found to have taken action on behalf of client without client's knowledge or being informed of such actions, and commingling client funds with law firm operating funds. OUTCOME: Suspended for 6 months (STAYED) and 24 months probation.

- (March 8, 2010) Reciprocal proceeding relating to State of Texas discipline. OUTCOME: Excluded from practice.
- (March 31, 2010) Reciprocal proceeding relating to State of Virginia discipline. OUTCOME: Suspended for 6 months.
- 15. (April 9, 2010) Knowingly mislead employer into believing she would be sworn into State of Illinois Bar on a date certain when she knew that not to be the case.
 OUTCOME: Suspended for 3 months.
- 16. (May 25, 2010) Failed to communicate with clients and filed nonpublication requests and then subsequently filed in foreign jurisdictions without notifying the USPTO, thus the applications went abandoned in the US. OUTCOME: Suspended for 60 months (STAYED) and 60 months probation.
- 17. (May 25, 2010) Prepared two applications but never filed them. Client requested additional applications be filed, which were never filed. OUTCOME: Suspended for 24 months.
- (June 3, 2010) Reciprocal proceeding relating to State of Colorado discipline. OUTCOME: Excluded from practice.
- (June 3, 2010) Reciprocal proceeding relating to State of Virginia discipline. OUTCOME: Public reprimand.
- (June 3, 2010) Reciprocal proceeding relating to State of Michigan discipline. OUTCOME: Public reprimand.
- 21. (June 3, 2010) Plead guilty to federal criminal complaint charging securities fraud and conspiracy to commit securities fraud. OUTCOME: Voluntarily resigned, excluded from practice.
- (June 10, 2010) Reciprocal proceeding relating to District of Columbia discipline. OUTCOME: Excluded from practice.
- 23. (June 10, 2010) Engaged in conduct involving dishonesty, fraud, deceit or misrepresentation to clients by billing for work not performed and knowingly misleading clients by telling them applications had been filed when he knew that was untrue. OUTCOME: Suspended for 24 months.
- (June 10, 2010) Reciprocal proceeding relating to State of New York discipline. OUTCOME: Public reprimand.

- (June 11, 2010) Reciprocal proceeding relating to State of Pennsylvania discipline. OUTCOME: Suspended for 5 years.
- 26. (June 14, 2010) ~ Reciprocal proceeding relating to State of Virginia discipline. OUTCOME: Excluded from practice.
- (June 17, 2010) Reciprocal proceeding relating to State of Washington. OUTCOME: Excluded from practice.
- 28. (June 17, 2010) Reciprocal proceeding relating to State of Texas discipline. OUTCOME: Suspended for 36 months.
- 29. (July 1, 2010) This is an initial decision. Robinson did not respond to the Complaint filed, which among other things charged him with bouncing a series of checks to the USPTO and never making good on the payments owed, resulting in patent applications going abandoned. OUTCOME: Excluded from practice.
- 30. (July 6, 2010) This is an initial decision. Weseman did not respond to the Complaint filed, which charged him with bouncing three checks to the USPTO and failing to make good on the fees owed after being informed by the USPTO of the returned checks. OUTCOME: Suspended for 120 days.
- 31. (July 7, 2010) Respondent did not maintain a separate client trust fund for holding unearned fees; bounced five checks, but upon being informed did make sufficient and appropriate payment to the USPTO. OUTCOME: Suspended for 24 months (STAYED) and probation for 24 months.
- (July 8, 2010) Reciprocal proceeding relating to State of Oregon discipline. OUTCOME: Excluded from practice.
- 33. (July 21, 2010) Respondent did not keep formal accounting records for his client trust account; paid PTO fees out of client trust account; checks bounced, but fees were paid. OUTCOME: Suspended 24 months (STAYED) and 24 months probation.
- 34. (July 21, 2010) Reciprocal proceeding relating to State of Florida and State of Virginia discipline. OUTCOME: Suspended for 36 months.
- 35. Jeffeny Set (August 2, 2010) Respondent was a patent examiner, left the Patent Office and was rehired back to the Patent Office. Patent examiners are not allowed to represent clients, but he continued to represent clients on the side, preparing for their signature required

documents. He was also engaging in the unauthorized practice of law in Virginia because he was not an attorney. OUTCOME: Suspended for 60 months.

27tmaxx,

Designed Altobaric Inc. went in default on May 1st after not submitting the list of officers on 4-30-07. I believe this was a last ditch effort by Michael Young, Stephen Guthrie, and Kevin Kendrick to get something going. As far as I know Matt Johnson has flown the coup, probably running from the FBI, and the SEC in my opinion.

Deep Blue Inc. will be in default come Friday since their officer list is due tomorrow. I would suspect the website will cease to operate come Sept. 20th 2007 when the registration for www.deepblueinc.com expires.

Someone must know a good lawyer for a good class action suit. The big investment money people that WERE going to in DPBL have contacted Michael Harris of MF Harris research, along with Dr. Leonard Makowka who Deep Blue pissed off by plastering his name all over their website.

These losers I believe tried to steal all this from Michael Harris. In my opinion they have to be the biggest pinheads in the world to think that they could get away with it. Criminal masterminds they are not.....

If you don't believe me and want to correct any errors do you own DD and contact them yourself:

Nancy and Warren Ferguson:
(919) 468-8349
213 Marilyn Cir, Cary, NC 27513
(they might be hosting a democratic party raiser)

Jeffery Seto:

Jeff@Seto-Patents.com

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406 Riverland Dr., Salem VA 24153 (540) 387-3072 (ask him if he went to school with Nancy and why he dumped Michael Harris's)

Kevin Kendrick: 728 20th Street West Des Moines, IA 50265 Office: 515-556-2898 kkendrick@modifiedasphaltsolutions.com

Michael Young, (216)-702-1468 (good luck getting a hold of him, and if you do, good luck getting any information)

Deep Blue, Inc. (DPBL) Stock Trading Info: